

CLOSED,IFP,PROSE-PR,TYPE I-FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-01029-TNM

LINDER v. EOUSA
Assigned to: Judge Trevor N. McFadden
Case: 1:16-cv-02039-TNM
Cause: 05:552 Freedom of Information Act

Date Filed: 04/23/2018
Date Terminated: 01/30/2019
Jury Demand: None
Nature of Suit: 550 Prisoner Petition: Civil Rights (Other)
Jurisdiction: U.S. Government Defendant

Plaintiff**DAVID W. LINDER**

represented by **DAVID W. LINDER**
25913-048
PEKIN
FEDERAL CORRECTIONAL
INSTITUTION
Inmate Mail/Parcels
P.O. BOX 5000
PEKIN, IL 61555
PRO SE

V.

Defendant**EOUSA**

represented by **Rhonda Lisa Campbell**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/23/2018		Initiating Pleading & IFP Application Received on 4/23/2018. (jd) (Entered: 05/03/2018)
04/23/2018	<u>1</u>	COMPLAINT against EOUSA filed by DAVID W. LINDER.(jd) (Entered: 05/03/2018)
04/23/2018	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by DAVID W. LINDER. (jd) (Entered: 05/03/2018)
05/08/2018	<u>4</u>	ORDER directing an initial partial filing fee in the amount of \$1.86 from Prison Account of DAVID W. LINDER and granting MOTION for Leave to Proceed In Forma Pauperis (see order for full details). Signed by Judge Colleen Kollar-Kotelly on 5/7/2018. (zrdj) (Entered: 05/11/2018)
05/15/2018		Case Reassigned to Judge Trevor N. McFadden. Unassigned is no longer assigned to the case. (zmd) (Entered: 05/15/2018)
05/15/2018	<u>5</u>	NOTICE OF RELATED CASE by DAVID W. LINDER. Case related to Case No. 16-cv-2039. (zmd) (Entered: 05/16/2018)
05/15/2018	<u>6</u>	PRISONER TRUST FUND ACCOUNT STATEMENT for period of six months by DAVID W. LINDER (zsb) (Entered: 05/18/2018)

06/04/2018	<u>7</u>	SUMMONS (3) Issued as to EOUSA, U.S. Attorney and U.S. Attorney General (zmd) (Entered: 06/04/2018)
06/12/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 6/8/18. (Answer due for ALL FEDERAL DEFENDANTS by 7/8/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 6/8/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. EOUSA served on 6/11/2018 (ztd) (Entered: 06/19/2018)
06/14/2018	<u>8</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of EOUSA (Campbell, Rhonda) (Entered: 06/14/2018)
07/09/2018	<u>10</u>	ANSWER to <u>1</u> Complaint by EOUSA.(Campbell, Rhonda) (Entered: 07/09/2018)
07/10/2018		VACATED PURSUANT TO COURT'S ORDER DATED 7/13/2018.....MINUTE ORDER TO SHOW CAUSE. Defendant's <u>10</u> Answer was due on July 8, 2018, see <u>9</u> Return of Service/Affidavit, but was untimely filed on July 9, 2018. Defendant is hereby ORDERED, before or on July 17, 2018, to show cause for the untimely filing. Signed by Judge Trevor N. McFadden on 7/10/2018. (lctnm3) Modified on 7/23/2018 (hmc). (Entered: 07/10/2018)
07/11/2018		Set/Reset Deadlines: Defendant to show cause for the untimely filing by 7/17/2018. (hmc) (Entered: 07/11/2018)
07/11/2018		MINUTE ORDER. Defendant has filed an Answer to Plaintiff's Complaint brought under the Freedom of Information Act (FOIA). Because FOIA actions are exempt from the requirements of Federal Rule of Civil Procedure 26(f) and Local Civil Rule 16.3, an Answer does little to advance the proceedings. Defendant "denies that Plaintiff is entitled to any relief whatsoever," Answer at 3, which "must be made by motion." Fed. R. Civ. P. 7(b)(1). Accordingly, Defendant shall, before or on July 31, 2018, file a dispositive motion or submit a status report as to what proceedings are ongoing as to preclude filing of such motion. SO ORDERED. Signed by Judge Trevor N. McFadden on 7/11/2018. (lctnm3) (Entered: 07/11/2018)
07/11/2018	<u>11</u>	RESPONSE TO ORDER OF THE COURT re Order, filed by EOUSA. (Campbell, Rhonda) (Entered: 07/11/2018)
07/11/2018		Set/Reset Deadlines: Defendant's dispositive motion or status report due by 7/31/2018. (hmc) (Entered: 07/11/2018)
07/13/2018		MINUTE ORDER. In light of Defendant's <u>11</u> Response to Order of the Court and Defendant's timely filing of its <u>10</u> Answer, the Court hereby VACATES the Order to Show Cause. Signed by Judge Trevor N. McFadden on 7/13/2018. (lctnm3) (Entered: 07/13/2018)
07/30/2018	<u>12</u>	STATUS REPORT by EOUSA. (Campbell, Rhonda) (Entered: 07/30/2018)
07/30/2018	<u>13</u>	REPLY re <u>1</u> Complaint filed by DAVID W. LINDER. (ztd) (Entered: 08/02/2018)
08/01/2018		MINUTE ORDER: Upon consideration of Defendant's <u>12</u> Status Report, it is hereby ORDERED that Defendant's Motion for Summary Judgment shall be filed on or before August 23, 2018. Plaintiff's Opposition shall be filed on or before October 4, 2018. Defendant's Reply shall be filed on or before October 25, 2018. Signed by Judge Trevor N. McFadden on 8/1/2018. (lctnm3) (Entered: 08/01/2018)
08/01/2018		Set/Reset Deadlines: Defendant's Motion for Summary Judgment due by 8/23/2018. Plaintiff's Opposition due by 10/4/2018. Defendant's Reply due by 10/25/2018. (hmc) (Entered: 08/01/2018)
08/23/2018	<u>14</u>	MOTION for Summary Judgment by EOUSA (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration and Exhibits, # <u>3</u> Statement of Facts)(Campbell, Rhonda) (Entered: 08/23/2018)
08/30/2018	<u>15</u>	ORDER advising Plaintiff to respond or the Court may deem Defendant's <u>14</u> Motion for Summary Judgment conceded. Plaintiff's response is due by October 4, 2018. Signed by Judge Trevor N. McFadden on 8/30/2018. (lctnm3) (Entered: 08/30/2018)

08/31/2018		Set/Reset Deadlines: Plaintiff's response to Defendant's Motion for Summary Judgment due by 10/4/2018. (hmc) (Entered: 08/31/2018)
09/17/2018	<u>16</u>	MOTION for Extension of Time to File Response/Reply as to <u>14</u> MOTION for Summary Judgment by DAVID W. LINDER (ztd) (Entered: 09/20/2018)
09/21/2018		MINUTE ORDER: Upon consideration of Plaintiff's <u>16</u> Motion for Extension of Time to File, it is hereby ORDERED that Plaintiff shall file his reply to Defendant's Motion for Summary Judgment on or before October 22, 2018. Defendant shall promptly mail a duplicate copy of its motion to Plaintiff's listed address. Signed by Judge Trevor N. McFadden on 9/21/2018. (lctnm3) (Entered: 09/21/2018)
09/21/2018		Set/Reset Deadlines: Plaintiff's response to Defendant's Motion for Summary Judgment due by 10/22/2018. (hmc) (Entered: 09/21/2018)
11/05/2018	<u>17</u>	Memorandum in opposition to re <u>14</u> MOTION for Summary Judgment filed by DAVID W. LINDER. (tth) (Entered: 11/08/2018)
11/15/2018	<u>18</u>	REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment filed by EOUSA. (Campbell, Rhonda) (Entered: 11/15/2018)
01/30/2019	<u>19</u>	MEMORANDUM OPINION re EOUSA's <u>14</u> Motion for Summary Judgment. See attached Opinion for details. Signed by Judge Trevor N. McFadden on 1/30/2019. (lctnm3) (Entered: 01/30/2019)
01/30/2019	<u>20</u>	ORDER: For the reasons stated in the accompanying <u>19</u> Memorandum Opinion, it is hereby ORDERED that the Defendant's <u>14</u> Motion for Summary Judgment is GRANTED. The Clerk of the Court is directed to close the case. This is a final appealable Order. See attached Order for details. Signed by Judge Trevor N. McFadden on 1/30/2019. (lctnm3) (Entered: 01/30/2019)